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13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE DISTRICT OF OREGON  
15

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 COJAUN BLACKMAN,

20 Defendant.

Case No: 3:21-cr-00358-IM-12

PETITION TO ENTER PLEA OF GUILTY,  
CERTIFICATE OF COUNSEL AND  
ORDER ENTERING PLEA

21  
22 The Defendant represents to the court:

- 23 1. My name is Cojaun Blackman. I am 38 years old. I attended school up to and  
24 including 11th grade and have my GED.
- 25 2. My attorney is Marc P. Friedman.
- 26 3. My attorney and I have discussed my case fully. I received a copy of the  
27 Information, or it has been read to me, and I discussed it with my attorney. My attorney  
28 has counseled and advised me concerning the nature of each charge, any lesser-included  
offense(s), and the possible defenses that I might have in this case. I have been advised  
and understand that the elements of the charge alleged against me to which I am pleading  
"GUILTY" are as follows:

///

1 Count One: Use of a Communication Facility to Facilitate a Drug Offense, (21 U.S.C. § 843(b)

2 The Government would have to prove that on or about May 4, 2021, in the District of  
3 Oregon, I did knowingly and intentionally used a communication facility, to-wit: a cellular  
4 telephone, in committing, causing, and facilitating the commission of a felony drug offense  
5 in violation of Title 21, United States Code, Section 843(b).

6 I have had a full and adequate opportunity to disclose to my attorney all facts known to  
7 me that relate to my case. I understand that the Court may ask whether I am satisfied with  
8 the advice I have received from my attorney.

9  
10 4. I know that if I plead "GUILTY," I will have to answer any questions that the judge asks  
11 me about the offense(s) to which I am pleading guilty. I also know that if I answer  
12 falsely, under oath, and in the presence of my attorney, my answers could be used against  
13 me in a prosecution for perjury or false statement.

14  
15 5. I am not under the influence of alcohol or drugs. I am not suffering from any injury,  
16 illness or disability affecting my thinking or my ability to reason except a follows: I have  
17 not taken any drugs or medications within the past seven (7) days, except as follows:

18 None

19  
20 6. I understand that conviction of a crime can result in consequences in addition to  
21 imprisonment. Such consequences include deportation, or removal from the United  
22 States, or denial of naturalization, if I am not a United States citizen; loss of eligibility  
23 to receive federal benefits; loss of certain civil rights, (which may be temporary or  
24 permanent depending on applicable state or federal law), such as the right to vote, to  
25 hold public office, and to possess a firearm; and loss of the privilege to engage in  
26 certain occupations licensed by the state or federal government.

1 7. I know that I may plead "NOT GUILTY" to any crime charged against me and that I may  
2 persist in that plea if it has already been made. I know that if I plead "NOT  
3 GUILTY" the Constitution guarantees me:

- 4 a. The right to a speedy and public trial by jury, during which I will be presumed to be  
5 innocent unless and until I am proven guilty by the government beyond a reasonable  
6 doubt and by the unanimous vote of twelve jurors;  
7  
8 b. The right to have the assistance of an attorney at all stages of the proceedings;  
9  
10 c. The right to use the power and process of the court to compel the production of  
11 evidence, including the attendance of witnesses in my favor;  
12  
13 d. The right to see, hear, confront and cross-examine all witnesses called to testify  
14 against me;  
15  
16 e. The right to decide for myself whether to take the witness stand and testify, and if I  
17 decide not to take the witness stand, I understand that no inference of guilty may be  
18 drawn from his decision; and  
19  
20 f. The right not to be compelled to incriminate myself.

21 8. I know that if I plead "GUILTY" there will be no trial before either a judge or a jury and  
22 that I will not be able to appeal from the judge's denial of any pretrial motions I may  
23 have filed concerning matters or issues not related to the court's jurisdiction.

24 9. In this case I am pleading "GUILTY" under Rule 11(c)(1)(C) pursuant to a plea  
25 agreement. My attorney has explained the effect of my plea under Rule 11 to be as  
26 follows:

27 The Government will recommend a particular sentence or guideline range,  
28 pursuant to the Plea Offer Letter, attached hereto. Such recommendation is binding on

1 the Court if I successfully graduate from the D-Start program. If I am terminated the  
2 Court will decide the sentence in the case according to the Federal Sentencing  
3 Guidelines.

4 10. I know the maximum sentence which can be imposed upon me for the crime(s) to which I  
5 am pleading "GUILTY" is: Four (4) years imprisonment, a fine of up to \$250,000 and  
6 one year supervised release.

7  
8 11. I know that the judge, in addition to any other penalty, will order a special assessment as  
9 provided by law in the amount of \$100.00 per count of conviction.

10 12. I know that if I am ordered to pay a fine, and I willfully refuse to pay that fine, I can be  
11 returned to court, where the amount of the unpaid balance owed on the fine can be  
12 substantially increased by the judge and I can be imprisoned for up to one year.

13  
14 13. My attorney has discussed with me the Federal Sentencing Guidelines. I know that under  
15 the Federal Sentencing Guidelines, the sentencing judge will ordinarily select a  
16 sentence from within the guideline range. If, however, a case presents unusual facts or  
17 other circumstances, the law permits the judge to depart from the guidelines and impose  
18 a sentence either above or below the guideline range. If my attorney or any other person  
19 has calculated a guideline range for me, I know that this is only a prediction and that it is  
20 the judge who makes the final decision as to what the guideline range is and what  
21 sentence will be imposed. I also know that a judge may not impose a sentence greater  
22 than the maximum sentence referred to in paragraph (10) above.

23  
24 14. I know from discussion with my attorney that, under the Federal Sentencing Guidelines,  
25 if I am sentenced to prison, I am not entitled to parole. I will have to serve the full  
26 sentence imposed except for any credit for good behavior that I earn. I can earn credit for  
27

1 good behavior in prison at a rate of up to 54 days for each year of imprisonment served.

2 Credit for good behavior does not apply to sentence of one year or less.

3 15. I know that if I am sentenced to prison, the judge will impose a term of  
4 supervised release to follow the prison sentence. During my supervised release term I  
5 will be supervised by a probation officer according to terms and conditions set by the  
6 judge. In my case, a term of supervised release can be on Count 1: One (1) year.

7  
8 16. I know that in addition to or in lieu of any other penalty, the judge can order restitution  
9 payments to any victim of any offense to which I plead guilty. I am also informed that,  
10 for certain crimes of violence and crimes involving fraud or deceit, it is mandatory that  
11 the judge impose restitution in the full amount of any financial loss or harm caused by an  
12 offense. If imposed, the victim can use the order of restitution to obtain a civil judgment  
13 lien. A restitution order can be enforced by the United States for up to twenty (20) years  
14 from the date of my release from imprisonment, or, if I am not imprisoned, twenty (20)  
15 years from the date of the entry of judgment. If I willfully refuse to pay restitution as  
16 ordered, a judge may re-sentence me to any sentence which could originally have been  
17 imposed.  
18

19 17. I know that if I am sentenced to probation, the judge may impose a period of probation of  
20 three (3) years.  
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22 18. My attorney has discussed with me the Federal Sentencing Guidelines. I know that the  
23 Federal Sentencing Guidelines are advisory, not mandatory. I also know that the  
24 sentencing judge, in determining the particular sentence to be imposed, must consider  
25 those factors set forth in Title 18, United States Code, Section 3553(a), including but not  
26 limited to: the nature and circumstances of the offense, my own history and  
27

1 characteristics, the goals of sentencing (punishment, deterrence, protection and  
2 rehabilitation), and the sentencing range established by the advisory Guidelines.

3 If my attorney or any other person has calculated a guideline range for me, I know that this  
4 is advisory and is but one of the factors that the judge will consider in making a final  
5 decision as to what sentence will be imposed. I also know that a judge may not impose a  
6 sentence greater than the maximum sentence referred to in paragraph 10 above.

7  
8 19. On any fine or restitution in an amount of \$2,500 or more, I know that I will be required  
9 to pay interest unless that fine or restitution is paid within fifteen (15) days from the date  
10 of the entry of judgment.

11 20. If I am on probation, parole, or supervised release in any other state or federal case, I  
12 know that by pleading "GUILTY" in this court my probation, parole or supervised  
13 release may be revoked and I may be required to serve time in that case, which may be  
14 consecutive, that is, in addition to any sentence imposed on my in this court.

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16 21. If I have another case pending in any state or federal court, I know that my Petition and  
17 Plea Agreement in this case does not, in the absence of an express and written agreement,  
18 apply to my other case(s), and that I can be faced with consecutive sentences of  
19 imprisonment.

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21 22. My plea of "GUILTY" is not the result of force, threat, or intimidation.

22 23. I hereby request that the judge accept my plea of "GUILTY" to the following count:

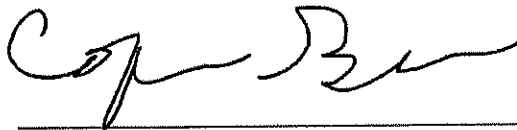
23 Count 1

24 24. I know that the judge must be satisfied that a crime occurred and that I committed that  
25 crime before my plea of "GUILTY" can be accepted. With respect to the charge(s) to  
26 which I am pleading "GUILTY," I represent that I did the following acts and that the  
27

1 On May 4, 2021, I used a cellular telephone to organize a transaction for the delivery of  
2 25 grams of heroin in the District of Oregon.

3 25. I offer my plea of "GUILTY" freely and voluntarily and of my own accord and with a  
4 full understanding of the allegations set forth in the Indictment/Information, and with a  
5 full understanding of the statements set forth in this Petition and in the Certificate of my  
6 attorney that is attached to this Petition.

7  
8 SIGNED by me in the presence of my attorney, after reading (or having had read to me  
9 all of the foregoing pages and paragraphs of this Petition on this 5 day of July, 2022.

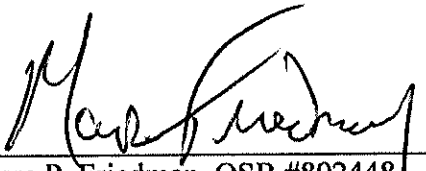
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12 Cojaun Blackman, Defendant  
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CERTIFICATE OF COUNSEL

The undersigned, as attorney for Defendant, hereby certifies:

1. I have fully explained to the Defendant the allegations contained in the Indictment/Information in this case, any lesser-included offense(s), and the possible defenses which may apply in this case.
2. I have personally examined the attached Petition to Enter Plea of Guilty and Order Entering Plea, explained all of its provisions to the Defendant and discussed fully with the Defendant all matters described and referred to in the Petition.
3. I have explained to the Defendant the maximum penalty and other consequences of entering a plea of guilty described in paragraphs (6)-(22) of the Petition, and I have also explained to the Defendant the applicable Federal Sentencing Guidelines.
4. I recommend that the Court accept the Defendant's plea of "GUILTY," signed by me in the presence of the above-named Defendant and after full discussion with the Defendant of the contents of the Petition to Enter Plea of Guilty, and any Plea Agreement, on this 5<sup>th</sup> day of July, 2022.

  
\_\_\_\_\_  
Marc P. Friedman, OSB #892448  
Attorney for Defendant

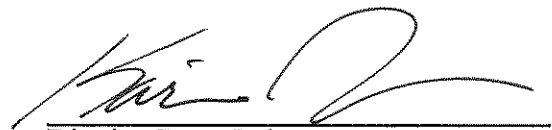
CERTIFICATE OF COUNSEL

ORDER ENTERING PLEA

I find that the Defendant's plea of 'GUILTY' has been made freely and voluntarily and not out of ignorance, fear, inadvertence or coercion. I further find the Defendant has admitted facts that prove each of the necessary elements of the crime(s) to which the Defendant has plead "GUILTY."

IT IS THEREFORE ORDERED that the Defendant's plea of "GUILTY" be accepted and entered as requested in this Petition and as recommended in the Certificate of Defendant's attorney.

DATED this 8<sup>th</sup> day of July, 2022.

  
District Court Judge

ORDER ENTERING PLEA ~ 1